

the Communications Act (see § 0.457(c)(1)(i));

(5) Files relating to international settlements under part 64 of this chapter;

(6) Documents relating to INTELSAT or INMARSAT;

(7) International broadcast applications, applications for permission to deliver programming to foreign stations, and related files under part 73 of this chapter; and

(8) International settlement agreements and contracts and international cable agreements.

(n) *The Cable Services Bureau Reference Center.* The following documents, files and records are available for inspection at this location.

(1) All complaints regarding cable programming rates, all documents filed in connection therewith, and all communications related thereto, unless the cable operator has submitted a request pursuant to § 0.459 that such information not be made routinely available for public inspection.

(2) All cable operator requests for approval of existing or increased cable television rates for basic service and associated equipment over which the Commission has assumed jurisdiction, all documents filed in connection therewith, and all communications related thereto, unless the cable operator has submitted a request pursuant to § 0.459 that such information not be made routinely available for public inspection.

(3) Special relief petitions and files pertaining to cable television operations.

(4) Cable television system reports filed by operators pursuant to § 76.403 of this chapter.

[32 FR 10573, July 19, 1967, as amended at 36 FR 15121, Aug. 13, 1971; 46 FR 27655, May 21, 1981; 50 FR 40014, Oct. 1, 1985; 52 FR 38764, Oct. 19, 1987; 58 FR 19772, Apr. 16, 1993; 59 FR 32132, June 22, 1994; 59 FR 38374, July 28, 1994; 60 FR 5325, Jan. 27, 1995; 60 FR 35507, July 10, 1995; 62 FR 51797, Oct. 3, 1997; 63 FR 36596, July 7, 1998]

EFFECTIVE DATE NOTE: At 63 FR 36596, July 7, 1998, in § 0.453, paragraph (k) was amended by removing the term (*Type accepted, type approved, certified and notified*), effective Oct. 5, 1998.

§ 0.455 Other locations at which records may be inspected.

Except as provided in §§ 0.453, 0.457 and 0.459, records are routinely available for inspection in the offices of the Bureau or Office which exercises responsibility over the matters to which those records pertain (see § 0.5), or will be made available for inspection at those offices upon request. Many of these records may be retrieved from the Commission's site on the World Wide Web, located at <<http://www.fcc.gov>>. Upon inquiry to the appropriate Bureau or Office, persons desiring to inspect such records will be directed to the specific location at which the particular records may be inspected. A list of Bureaus and Offices and examples of the records available at each is set out below:

(a) *Mass Media Bureau.* (1) Applications for broadcast authorizations and related files are available for public inspection in the FCC Reference Center. See § 0.453(a)(2). Certain broadcast applications, reports and records are also available for inspection in the community in which the station is located or is proposed to be located. See §§ 73.3526 and 73.3527 of this chapter.

(2) Ownership reports filed by licensees of broadcast stations pursuant to § 73.3615.

(3) Network affiliation contracts between stations and networks (for television stations only).

(4) Contracts relating to network service to broadcast licensees filed on or after the 1st day of May 1969 under § 73.3613.

(5) Annual employment reports filed by licensees and permittees of broadcast stations pursuant to § 73.3612 of this chapter and cable television systems pursuant to § 76.77 of this chapter.

(6) Contract files which contain pledges, trust agreements, options to purchase stock agreements, partnership agreements, management consultant agreements, and mortgage or loan agreements.

(7) Rulings under the Fairness Doctrine and section 315 of the Communications Act, and related materials.

(8) Ruling lists which contain brief summaries of rulings.

(9) Files containing Station History cards for stations in existence prior to 1982.

(b) *Common Carrier Bureau* which includes the *Formal Complaints and Investigations Branch* and the *Informal Complaints and Public Inquiries Branch*. (1) Annual reports filed by carriers under § 43.21 of this chapter.

(2) Monthly reports filed by carriers under § 43.31 of this chapter.

(3) Reports on pensions and benefits filed by carriers under § 43.42 of this chapter.

(4) Reports of proposed changes in depreciation rates filed by carriers under § 43.43 of this chapter.

(5) Reports regarding division of international telegraph communications charges filed under § 43.53 of this chapter.

(6) Reports regarding services performed by telegraph carriers filed under § 43.54 of this chapter.

(7) Reports of public coast station operators filed under § 43.71 of this chapter.

(8) Valuation reports filed under section 213 of the Communications Act, including exhibits filed in connection therewith, unless otherwise ordered by the Commission, with reasons therefor, pursuant to section 213(f) of the Communications Act. See § 0.457(c)(2).

(9) A list of other reports filed by common carriers.

(10) Contracts and other arrangements filed under § 43.51 and reports of negotiations regarding foreign communication matters filed under § 43.52 of this chapter, except for those kept confidential by the Commission pursuant to section 412 of the Communications Act. See § 0.457(c)(3).

(11) Tariff schedules for all charges for interstate and foreign wire or radio communications filed pursuant to section 203 of the Communications Act, all documents filed in connection therewith, and all communications related thereto.

(12) All applications for common carrier authorizations acted upon by the Common Carrier Bureau, and files relating thereto.

(13) All formal and informal complaints against common carriers filed under §§ 1.711 through 1.735 of this chap-

ter, all documents filed in connection therewith, and all communications related thereto.

(14) Annual employment reports filed by common carrier licensees or permittees pursuant to § 1.815 of this chapter.

(15) Enforcement proceedings and public inquiries and related materials.

(c) *Office of Managing Director*. (1) All minutes of Commission actions, containing a record of all final votes, minutes of actions and internal management matters as provided in § 0.457(b)(1) and (c)(1)(i). These records and files are available for inspection in the Agenda Branch.

(2) Files containing information concerning the history of the Commission's rules. These files are available for inspection in the Publications Branch.

(3) See § 0.443.

(4) Reports filed pursuant to subpart E of part 19 of this chapter and applications for inspection of such reports. See § 0.460(k).

(d) *Cable Services Bureau*. Correspondence and other actions and decisions relating to cable television services that are not filed in the FCC Reference Center.

(e) *Office of Engineering and Technology* which includes the Bureau's *Technical Library* containing technical reports, technical journals, and bulletins of spectrum management and related technical materials. (1) Experimental application and license files.

(2) The Master Frequency Records.

(3) Applications for Equipment Authorization, following the effective date of the authorization. See § 0.457(d)(1)(ii). (Application files, technical journals and other technical materials are maintained at the Commission's Laboratory at Columbia, Maryland.)

(f) *The Commission's offices in Gettysburg, Pennsylvania*. See § 0.453(1) of this chapter.

(g) *International Bureau*. The treaties and other international and bilateral agreements listed in § 73.1650 of this chapter are available for inspection in the office of the Chief, Planning and

Negotiations Division, International Bureau.

[52 FR 38765, Oct. 19, 1987; 52 FR 40020, Oct. 26, 1987, as amended at 58 FR 13021, Mar. 9, 1993; 58 FR 29752, May 21, 1993; 59 FR 32133, June 22, 1994; 60 FR 5325, Jan. 27, 1995; 62 FR 51797, Oct. 3, 1997; 63 FR 36596, July 7, 1998]

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§0.457 Records not routinely available for public inspection.

The records listed in this section are not routinely available for public inspection. The records are listed in this section by category, according to the statutory basis for withholding those records from inspection; and under each category, if appropriate, the underlying policy considerations affecting the withholding and disclosure of records in that category are briefly outlined. Except where the records are not the property of the Commission or where the disclosure of those records is prohibited by law, the Commission will entertain requests from members of the public under §0.461 for permission to inspect particular records withheld from inspection under the provisions of this section, and will weigh the policy considerations favoring non-disclosure against the reasons cited for permitting inspection in the light of the facts of the particular case. In making such requests, it is important to appreciate that there may be more than one basis for withholding particular records from inspection. The listing of records by category is not intended to imply the contrary but is solely for the information and assistance of persons making such requests. Requests to inspect or copy the transcripts, recordings or minutes of agency or advisory committee meetings will be considered under §0.603 rather than under the provisions of this section.

(a) *Materials that are specifically authorized under criteria established by Executive Order to be kept secret in the interest of national defense or foreign policy and are in fact properly classified pursuant to such Executive Order, 5 U.S.C. 552(b)(1).* (1) E.O. 10450, "Security Re-

quirements for Government Employees," 18 FR 2489, April 27, 1953, 3 CFR, 1949–1953 Comp., p. 936. Pursuant to the provisions of E.O. 10450, reports and other material and information developed in security investigations are the property of the investigative agency. If they are retained by the Commission, it is required that they be maintained in confidence and that no access be given to them without the consent of the investigative agency. Such materials and information will not be made available for public inspection. See also paragraphs (f) and (g) of this section.

(2) E.O. 10501, "Safeguarding Official Information in the Interests of the Defense of the United States," 18 FR 7049, November 10, 1953, as amended, 3 CFR, 1965 ed., p. 450. E.O. 10501, as amended, provides for the classification of official information which requires protection in the interests of national defense, and prohibits the disclosure of classified information except as provided therein. Classified materials and information will not be made available for public inspection. See also, E.O. 10033, February 8, 1949, 14 FR 561, 3 CFR, 1949–1953 Comp., p. 226, and 47 U.S.C. 154(j).

(b) *Materials that are related solely to the internal personnel rules and practices of the Commission, 5 U.S.C. 552(b)(2).* (1) Materials related solely to internal management matters, including minutes of Commission actions on such matters. Such materials may be made available for inspection under §0.461, however, unless their disclosure would interfere with or prejudice the performance of the internal management functions to which they relate, or unless their disclosure would constitute a clearly unwarranted invasion of personal privacy (see paragraph (f) of this section).

(2) Materials relating to the negotiation of contracts.

(3) All materials used in conducting radio operator examinations, including test booklets, Morse Code tapes, and scoring masks.

(c) Materials that are specifically exempted from disclosure by statute (other than the Government in the Sunshine Act, 5 U.S.C. 552b): *Provided*, That such statute (1) requires that the